

REMARKS

Claims 54, 56, 60, 62, 64, 66, 76, 133, and 137 were pending. Applicant notes with appreciation the allowability of claims 54, 56, 60, 62, 64, 66 and 133.

Applicant has amended claim 76 to clarify that one of the pair of nucleic acid molecules is obtained from SEQ ID NO:23, and the other of the pair is obtained from the reverse complement of SEQ ID NO:23. Support for the amendment of claim 76 is provided in the application, for example, in the paragraph spanning pages 26-27: "One of the primers will hybridize to one strand of the cancer associated antigen nucleic acid and the second primer will hybridize to the complementary strand of the cancer associated antigen nucleic acid...."

No new matter has been added.

Rejections Under 35 U.S.C. § 112, First Paragraph

The Examiner rejected claim 76 under 35 U.S.C. § 112, first paragraph, as lacking enablement. It appears that the Examiner has rejected the claim based on the possibility that both nucleic acid molecules could be from the same strand of DNA, or hybridize to each other, and thus not be usable for amplification.

Although Applicant does not agree that the claim would be reasonably read in that way, Applicant nevertheless has amended the claim to specify that one of the pair of nucleic acid molecules is from SEQ ID NO:23 or a degenerate sequence and the other of the pair of nucleic acid molecules is from the reverse complement of SEQ ID NO:23 or a degenerate sequence.

Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 76 under 35 USC 112, first paragraph.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,



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